

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

DOLRAY POLK,

Plaintiff,

v.

**WAL-MART STORES EAST, LP
d/b/a WAL-MART, and JANE DOE, An
Unknown Walmart Employee,**

Defendants.

CASE NO: 7:23-cv-60 (WLS)

ORDER

Before the Court is the Consent Motion for Dismissal with Prejudice (Doc. 11) (“Consent Motion”) filed by counsel for the Defendants and signed on behalf of Plaintiff and Defendant Wal-Mart Stores East, LP, d/b/a Wal-Mart by their respective counsel. The Parties state that all matters in controversy among the Parties to the civil action have been resolved by compromise and settlement. Therefore, the Parties request that all claims asserted in the action be dismissed with prejudice, with each party to bear its own attorney’s fees and costs.

The Court notes that Defendant Jane Doe is not a party to the Consent Motion. Plaintiff has not filed proof of service as to Jane Doe. Nor has Plaintiff substituted a party in place of Jane Doe or dismissed the action as to Jane Doe. There is nothing in the record reflecting that Jane Doe is no longer a party to this action.

Accordingly, it is hereby **ORDERED** that the Consent Motion (Doc. 11) is **GRANTED IN PART** as follows.

1. The Court orders that all Plaintiff’s claims pending against Defendant Wal-Mart Stores East, LP, d/b/a Wal-Mart are **DISMISSED, WITH PREJUDICE**, with each party bearing their own attorney’s fees and costs.

2. On or before **Wednesday, January 24, 2024**, Plaintiff shall file such appropriate motion to either continue this action as to Jane Doe or to dismiss the claims against Jane Doe.

SO ORDERED, this 17th day of January 2024.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT